

SEP 13 2001  
PATENT

Serial No. 09/864,873

1954-330  
SAS:lew

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	
John J. ROSSI et al.	)	<b><u>Box Missing Parts</u></b>
Serial No. 09/864,873	)	
Filed: May 25, 2001	)	Attention:
For: NUCLEOLAR TARGETING OF	)	Applications Branch
THERAPEUTICS AGAINST HIV	)	

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to a Notice to File Missing Parts of Application under 37 CFR 1.53(b) dated July 13, 2001, response copy attached, a Declaration and Power of Attorney identifying the above-referenced application by Serial Number and Filing Date is being herewith submitted. Also attached is a check in payment of the following fees:

\$ 65.00	(surcharge under 37 C.F.R. 1.16(e))
355.00	(basic filing fee)
130.00	(additional claims fee)
<u>\$ 550.00</u>	TOTAL

Please charge any additional fees or credit any overpayment for the payment of the filing fee, any extra claims fees or the surcharge to deposit account number 02-2135. An additional copy of this letter is enclosed for that purpose.

The following document is being submitted concurrently under separate cover:

- Recordation Coversheet w/Assignment document.
- Petition to Submit Color Photographs (submitted concurrently with all the formal drawings).

Respectfully submitted,

By Stephen A. Saxe

Stephen A. Saxe, Ph.D.  
Attorney for Applicants  
Registration No. 38,609  
ROTHWELL, FIGG, ERNST & MANBECK, p.c.  
Suite 701-E, 555 13th Street, N.W.  
Washington, D.C. 20004  
Telephone: (202)783-6040

Enclosures



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/864,873	05/25/2001	John J. Rossi	1954-330

CONFIRMATION NO. 2281

## FORMALITIES LETTER



\*OC000000006292265\*

6449

ROTHWELL, FIGG, ERNST & MANBECK, P.C.  
555 13TH STREET, N.W.  
SUITE 701, EAST TOWER  
WASHINGTON, DC 20004

Date Mailed: 07/13/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/14/2001 SBIRETA1 00000012 09864873

01 FC:201  
02 FC:203  
03 FC:202  
04 FC:205

355.00 OP  
90.00 OP  
40.00 OP  
65.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$260.
  - \$180 for 10 total claims over 20.
  - \$80 for 1 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1100.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

COPY

*A copy of this notice MUST be returned with the reply.*



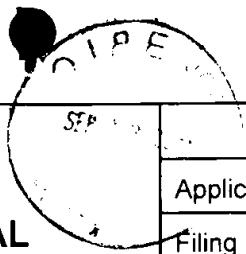
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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

BOX MISS PARTS



<b>FEE TRANSMITTAL for FY 2001 (Small Entity)</b>		Complete if Known	
		Application Number	09/864,873
		Filing Date	May 25, 2001
		First Named Inventor	John J. ROSSI
		Examiner Name	Not Yet Assigned
		Group Art Unit	1645
Total Amount of Payment	(\$130.00	Attorney Docket Number	1954-330

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- ☐ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status.
2. ☒ Payment Enclosed:
- ☒ Check
- ☐ Credit Card

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Fee Paid	Fee Description	Fee Paid
205	65	Surcharge - late filing fee or oath	[ ]
227	25	Surcharge - late provisional filing fee or cover sheet	[ ]
139	130	Non-English specification	[ ]
147	2,520	For filing a request for reexamination	[ ]
112	920	Requesting publication of SIR prior to Examiner action	[ ]
113	1,840*	Requesting publication of SIR after Examiner action	[ ]
215	55	Extension for reply within first month	[ ]
216	195	Extension for reply within second month	[ ]
217	445	Extension for reply within third month	[ ]
218	695	Extension for reply within fourth month	[ ]
228	945	Extension for reply within fifth month	[ ]
219	155	Notice of Appeal	[ ]
220	155	Filing a brief in support of an appeal	[ ]
221	135	Request for Oral Hearing	[ ]
138	1,510	Petition to institute a public use proceeding	[ ]
240	55	Petition to revive -unavoidable	[ ]
241	640	Petition to revive - unintentional	[ ]
242	620	Utility issue fee (or reissue)	[ ]
243	220	Design issue fee	[ ]
244	300	Plant issue fee	[ ]
122	130	Petitions to the Commissioner	[ ]
123	50	Processing fee under 37 CFR 1.17(q)	[ ]
126	180	Submission of Information Disclosure Statement	[ ]
581	40	Recording each patent assignment per property (times number of properties)	[ ]
246	355	Filing a submission after final rejection (37 CFR .129(a))	[ ]
249	355	For each additional invention to be examined (37 CFR 1.129(b))	[ ]
279	355	Request for Continued Examination (RCE)	[ ]
169	900	Request for expedited examination of a design application	[ ]
195	300	Publication fee for early, voluntary, or normal publication	[ ]
196	300	Publication fee for republication	[ ]
089	200	Filing an application for patent term adjustment	[ ]
090	400	Request for reinstatement of term reduced	[ ]
Other fee (specify)Petition to Accept Color Photographs			[\$130.]

FEE CALCULATION

1. FILING FEE

Fee Code	Fee \$	Fee Description	Fee Paid
201	355	Utility filing fee	[ ]
206	160	Design Filing Fee	[ ]
207	245	Plant Filing Fee	[ ]
208	355	Reissue Filing Fee	[ ]
214	75	Provisional Filing Fee	[ ]

SUBTOTAL \$

2. CLAIMS

Total Claims	Independent Claims	Multiple Dependent Claims	Extra Claims	Fee	Fee Paid
[ ]	[ ]	[ ]	20** = [ ]	\$ 9 = [ ]	[ ]
[ ]	[ ]	[ ]	3** = [ ]	40 = [ ]	[ ]
[ ]	[ ]	[ ]	+	135 = [ ]	[ ]

\*\*or number previously paid, if greater;

SUBTOTAL \$

\* Reduced by Basic Filing Fee Paid SUBTOTAL \$130.00

SUBMITTED BY		Complete (if applicable)	
NAME AND REG. NUMBER	Stephen A. Saxe, Ph.D., Reg. No. 38,609		
SIGNATURE	DATE	DEPOSIT ACCOUNT USER ID	
Stephen A. Saxe	September 13, 2001		